

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

SOPHIA LAMONT, AS ADMINISTRATOR
WITH LIMITED LETTERS OF THE
ESTATE OF FRANK P. LAMONT, JR.

Plaintiff,

STIPULATION OF DISMISSAL

Civil Action No. 12-CV-6129

VS.

UNITED STATES OF AMERICA,

Defendant.

WHEREAS, the plaintiff, Sophia Lamont, as Administrator with Limited Letters of the Estate of Frank P. Lamont, Jr., filed a Complaint against the United States of America, Leroy Historical Society, The Safety and Access Co., Inc. and IKECO, Inc. on March 12, 2012 relating to the decedent's fatal fall at the Jell-O Factory Museum in LeRoy, New York, through the back door of an exterior elevator while on his motorized scooter; and

WHEREAS, on June 5, 2012, such complaint was amended by plaintiff, with court approval, to add Thyssenkrupp Access Corp. as defendant; and

WHEREAS, Thyssenkrupp Access Corp. then commenced a third-party action against Golden Brothers, Inc., d/b/a Golden Technologies, Inc.; and

WHEREAS, the plaintiff previously reached a settlement with defendants, Leroy Historical Society, The Safety and Access Co., Inc., IKECO, Inc., Thyssenkrupp Access Corp. and Golden Brothers, Inc., d/b/a Golden Technologies, Inc. and filed a Stipulation of Dismissal April 2, 2013 regarding those defendants only, with the claims against the United States of America then continuing; and

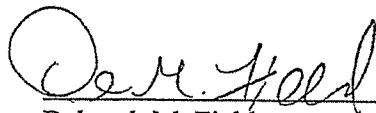
WHEREAS, the plaintiff has now reached a settlement with defendant, the United States of America; and

WHEREAS, the plaintiff has received approval in the form of a Decree dated September 16, 2013, from the Surrogate's Court for the State of New York and County of Monroe to compromise its claims against defendant United States of America.

NOW THEREFORE, plaintiff and defendant United States of America hereby stipulate that all claims between and among them are hereby dismissed with prejudice.

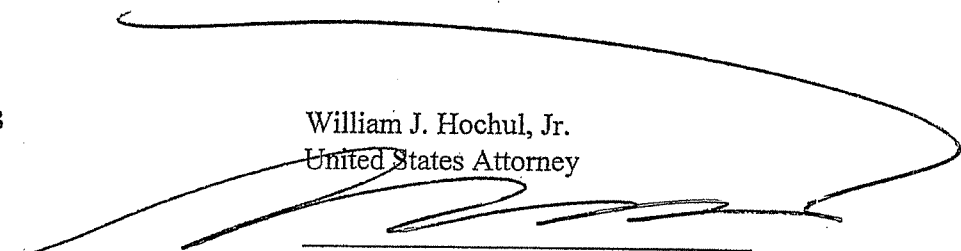
Respectfully submitted,

Dated: September 30, 2013


Deborah M. Field
Attorney for Plaintiff
Sophia Lamont as Administrator

Dated: September 30, 2013

William J. Hochul, Jr.
United States Attorney


By: Michael S. Cerrone
Assistant U. S. Attorney
Attorney for Defendant
United States of America

CERTIFICATE OF SERVICE

I hereby certify that on September 30, 2013, I electronically filed the foregoing with the Clerk of the District Court using its CM/ECF system which would then electronically notify the following DM/ECF participant on this case:

*Attorney for Defendant
United States of America:*

MICHAEL S. CERRONE, ESQ.
U.S. ATTORNEY'S OFFICE
FEDERAL CENTRE
138 DELAWARE AVENUE
BUFFALO, NEW YORK 14202

/s/ Deborah M. Field

Deborah M. Field